



**DEPARTMENT OF BUSINESS AFFAIRS AND CONSUMER PROTECTION  
CITY OF CHICAGO**

**NUISANCE ABATEMENT PLAN**

**Licensee:** K & M Food Market, Inc.  
**Premises:** 4200 West Madison Street  
Chicago, Illinois 60624  
**License:** Retail Food Establishment  
Tobacco Retail Over Counter  
**Account #:** 343052

The City of Chicago and the above-named Licensee have agreed to the following Nuisance Abatement Plan that was entered in response to a summary closure order issued by the Superintendent of Police on September 20, 2019, under Municipal Code of Chicago § 4-4-285 ("Summary Closure Order") following a violent incident that occurred at the licensed premises on September 18, 2019.

This agreement shall become effective on the date the agreement has been signed by a representative of the City of Chicago as indicated on the last page of this agreement.

1. Hours of Operation – The Licensee shall operate the business as follows: Monday through Sunday from 6:00 a.m. until 12:00 a.m.(midnight). Outside of these hours the business shall be entirely closed and shall not operate in any fashion, including via a walk-up window.
2. Security – The Licensee has retained an independent licensed and bonded security firm to perform the following:
  - a. Supply one trained and licensed guard, who shall patrol both the interior and the immediately exterior areas of the premises, including the adjacent parking area between 6:00 am through 12:00 am (midnight), seven days per week.
  - b. The security guard shall be armed and wear a uniform while on duty.
  - c. The security guard shall patrol within the premises to ensure customers conduct themselves in a lawful manner and do not loiter.

- d. The security guard shall take affirmative steps to move loiterers and trespassers located outside the business away from the premises so that sidewalks, parking areas, and entrances to the store are not occupied or impeded by such persons.
  - e. The security guard shall immediately report any and all illegal activities occurring on or within sight of the licensed premises to 911. Call to 911 shall be made from a landline whenever possible, and when made by use of a cell phone, the caller shall announce the name and address of the business as well as the name of the individual making the call.
  - f. The security guards shall maintain an "incidents and activity log" that lists all events requiring their intervention and all calls to 911. This "log" shall document the date, time, reason, and outcome of the event or phone call.
  - g. The security guards shall sign criminal complaints and testify in court as necessary.
  - h. In the event that a single security guard cannot adequately deter loitering and other unlawful activity from occurring inside the business and in the outside areas immediately adjacent to the licensed premises, the City of Chicago expressly reserves the right to require the presence of two security guards for all or part of the hours of operation of the business.
3. Security Cameras – The Licensee shall, commensurate with its hours of operation, install and maintain a security camera system inside and outside of the premises (*see Exhibit A* for current camera locations). As it pertains to this security camera system:
- a. The cameras shall be sufficiently light sensitive and provide sufficient resolution to produce easily discernible images.
  - b. The images recorded by the cameras shall be capable of being viewed through use of compact disc/ electronic file transfer and other digital media, and shall be capable of being transferred to a variety of portable form of media including but not limited to compact disc and digital video disc.
  - c. The cameras shall view and shall be able to record images of persons and cars: 1) along the business' driveways; 2) in the parking areas of the property adjacent to the licensed premises; 3) inside the licensed premises; 4) on the sidewalks adjacent to the business property.
  - d. The cameras shall be able to record discernible images from a minimum distance of 15 feet in front of and on the sides of any business entrance.
  - e. The Licensee shall maintain video recordings for a minimum of 30 days and indexed by date and time. All recordings shall be stored at the licensed premises in

a secured manner and shall be made immediately available upon request of any City of Chicago agency.

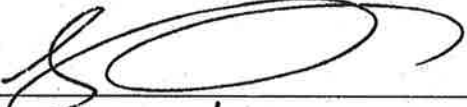
- f. Licensee agrees to connect and maintain the connection of the cameras to the Private Sector Camera System of the Office of Emergency Management and Communication ("OEMC") within 30 days after the execution of this Nuisance Abatement Plan.
4. Outdoor Lighting – The Licensee shall maintain adequate lighting on all sides of the licensed premises including any alleyway accessible by the business to ensure the safety of patrons and employees. The lighting shall include 500-watt halogen or LED fixtures such that the security camera system is able to produce discernible images from a distance of 15 feet in front and on all sides of each entry and exit.
5. Unobscured Windows – The Licensee shall not cover or obstruct the store windows with signs, so that law enforcement officers have a clear view to the interior.
6. No Loitering Tolerated – The Licensee shall ban unauthorized people from loitering and trespassing and shall enforce the ban by instructing unauthorized people to leave and by calling the police if they do not obey. For purposes of this Plan, loiterers and trespassers are persons who are not purchasing products from the Licensee. The Licensee and its employees shall call 911 to report illegal activity including but not limited to loitering in or adjacent to the business premises, and they shall also sign complaints and testify in court if required.
7. 911 & Incident Logs – The Licensee shall keep and maintain a Log of all calls to 9-1-1 and an Incident Log on which the owner and/or employees record any illegal activity observed inside or outside of the Licensed Premises. Both logs shall be kept on the licensed premises for a period of one year and made available to CPD or BACP upon request. These logs shall document the date, time, reason, and outcome of the event or phone call.
8. Posting of Warning Sign – The Licensee will post and display "no trespassing, no loitering" signs in a conspicuous location inside and outside the Licensed Premises. Licensee will continue to participate in the CRIMINAL TRESPASS AFFIDAVIT PROGRAM.
9. Cooperation with Chicago Police Department– The Licensee shall attend (or have a representative attend) C.A.P.S. meetings and any other similar CPD sponsored meetings to improve awareness with community concerns of problems within the neighborhood. The Licensee further shall cooperate with the CPD in any and all incident investigations. The Licensee or representative shall sign in at all meetings attended. Absence of a sign-in shall be prima facie evidence of non-attendance.
10. Community Participation – The Licensee shall work with the local alderman and community groups to address any issues with the operation of the business.

The agreed conditions of this Nuisance Abatement Plan are legally binding and may be enforced by City of Chicago enforcement authorities. Violations of the above-stated agreed conditions may result in reinstatement of the Summary Closure Order, closure of the business under Municipal Code of Chicago § 4-4-285, the imposition of a fine, and the suspension or revocation of all business licenses issued to the Licensee.

The agreed conditions of this Nuisance Abatement Plan shall apply to the business address and Licensee and to all officers, managers, members, partners and direct or indirect owners of the entity of which is licensed. The sale of the business to other persons purchasing the stock of the licensed entity, any change of officers of the Licensee, and any person or entity who is a successor, assign, or transferee of the business, shall be subject to the same conditions set forth in this Nuisance Abatement Plan.

It shall be the duty of the Licensee to post this Nuisance Abatement Plan next to the business license certificates in a conspicuous place at the business address

Licensee: K & M Food Market, Inc.  
4200 West Madison Street  
Chicago, Illinois 60624

By:  Date: \_\_\_\_\_  
12/26/19, President

-and-

By:  Date: 12-27-2019

Tamara Starks, Deputy Commissioner  
Business Affairs and Consumer Protection